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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;  
ORACLE AMERICA, INC., a Delaware  
corporation; and ORACLE INTERNATIONAL  
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;  
AND SETH RAVIN, an individual,

Defendants.

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Case No. 2:10-cv-0106-LRH-PAL

**DECLARATION OF THOMAS  
HIXSON IN SUPPORT OF  
ORACLE'S OPPOSITION TO  
DEFENDANTS' MOTIONS IN  
*LIMINE NOS. 1-12***

1 I, Thomas Hixson, declare as follows:

2 1. I am a member of the State Bar of California, and a partner at Morgan, Lewis &  
3 Bockius LLP, counsel of record for Plaintiffs Oracle USA, Inc., Oracle America, Inc., and  
4 Oracle International Corporation (collectively, “Oracle” or “Plaintiffs”) in this action. I submit  
5 this declaration in support of Oracle’s Opposition to Defendants’ Motions *In Limine* Nos. 1-12. I  
6 have personal knowledge of the matters stated herein and could and would testify competently  
7 about them if called upon to do so.

8 2. The Exhibits referenced below are all true and correct copies of excerpts from  
9 final deposition transcripts, or documents produced in discovery or during the pretrial meet and  
10 confer process. To minimize bulk, for ease of use, and to the extent possible without losing  
11 context, only the relevant pages and information are included in these Exhibits. We have  
12 provided yellow highlighting (in documents) and blue boxing (in transcripts) where possible to  
13 further assist in identifying the relevant information cited in Oracle’s accompanying brief. We  
14 have also marked Exhibits that are listed on the parties’ exhibit lists with the designated trial  
15 exhibit number.

16  
17 **Plaintiffs’ and Defendants’ Trial Exhibits (“PTX” and “DTX”) & Documents Produced**  
18 **During Discovery**

19 1. Attached as **Exhibit 1** is a true and correct copy of DTX 23, a news article  
20 printout dated September 25, 2008.

21 2. Attached as **Exhibit 2** is a true and correct copy of DTX 27, a news article  
22 printout dated March 11, 2009.

23 3. Attached as **Exhibit 3** is a true and correct copy of the Certificate of Registration  
24 for copyright registration TX 7-413-797, produced by Oracle in this matter and Bates numbered  
25 ORCLRS1339122-25.

26 4. Attached as **Exhibit 4** is a true and correct copy of the Certificate of Registration  
27 for copyright registration TX 7-437-716, produced by Oracle in this matter and Bates numbered  
28 ORCLRS1339126-28.

1           5.       Attached as **Exhibit 5** is a true and correct copy of PTX 15, an email from Dennis  
2 Chiu dated April 5, 2007, produced by Rimini Street in this matter and Bates numbered  
3 RSI02046869-74.

4           6.       Attached as **Exhibit 6** is a true and correct copy of PTX 35, an email from Seth  
5 Ravin dated August 25, 2008, produced by Rimini Street in this matter and Bates numbered  
6 RSI03001396-1413.

7           7.       Attached as **Exhibit 7** is a true and correct copy of PTX 36, an email from  
8 Michael Davichick dated August 25, 2008, produced by non-party Wendy's in this matter and  
9 Bates numbered WENDYS-SUB00129.

10          8.       Attached as **Exhibit 8** is a true and correct copy of PTX 53, an email from Chris  
11 Limburg dated February 11, 2009, produced by Rimini Street in this matter and Bates numbered  
12 RSI04083749-50.

13          9.       Attached as **Exhibit 9** is a true and correct copy of PTX 65, an email from Chris  
14 Limburg dated March 9, 2010, produced by Rimini Street in this matter and Bates numbered  
15 RSI04026526.

16          10.      Attached as **Exhibit 10** is a true and correct copy of PTX 199, an email from Ray  
17 Grigsby dated October 20, 2009, produced by Rimini Street in this matter and Bates numbered  
18 RSI03112035-2290.

19          11.      Attached as **Exhibit 11** is a true and correct copy of PTX 200, a document titled  
20 "JD Edwards Enterprise One Process Models" produced by Rimini Street in this matter and  
21 Bates numbered RSI03118309-8403.

22          12.      Attached as **Exhibit 12** is a true and correct copy of PTX 202, an email from  
23 Karen Blazek dated May 26, 2006, produced by Oracle in this matter and Bates numbered  
24 ORCLRS0273472-3477.

25          13.      Attached as **Exhibit 13** is a true and correct copy of PTX 203, an email from  
26 Michael Kerr dated February 16, 2010, produced by Rimini Street in this matter and Bates  
27 numbered RSI03115052-5060.

28          14.      Attached as **Exhibit 14** is a true and correct copy of PTX 241, an email from

1 David Rowe dated February 5, 2009, produced by Rimini Street in this matter and Bates  
2 numbered RSI03335306-20.

3 15. Attached as **Exhibit 15** is a true and correct copy of PTX 348, an email from  
4 Chris Limburg dated February 11, 2009, produced by Rimini Street in this matter and Bates  
5 numbered RSI04151300-02.

6 16. Attached as **Exhibit 16** is a true and correct copy of PTX 425, an email from  
7 Dennis Chiu dated October 16, 2006, produced by Rimini Street in this matter and Bates  
8 numbered RSI02194339.

9 17. Attached as **Exhibit 17** is a true and correct copy of PTX 580, an email from  
10 Melissa Berde dated August 7, 2009, produced by Rimini Street in this matter and Bates  
11 numbered RSI05450502.

12 18. Attached as **Exhibit 18** is a true and correct copy of PTX 601, an email from  
13 Dennis Chiu dated February 13, 2008, produced by Rimini Street in this matter and Bates  
14 numbered RSI02670656-58.

15 19. Attached as **Exhibit 19** is a true and correct copy of PTX 1245, a document titled  
16 "Estimation of the Fair Market Value of Certain Assets and Liabilities of Siebel Systems, Inc.,"  
17 dated January 31, 2006, produced by Oracle in this matter and Bates numbered  
18 ORCLRS0083613-685.

19 20. Attached as **Exhibit 20** is a true and correct copy of PTX 1249, a document titled  
20 "Estimation of the Fair Market Value of Certain Assets and Liabilities of PeopleSoft, Inc.," dated  
21 December 28, 2004, produced by Oracle in this matter and Bates numbered ORCLRS0083764-  
22 857.

23 21. Attached as **Exhibit 21** is a true and correct copy of PTX 1328, a document titled  
24 "Confidential Executive Summary," dated December 10, 2006, produced by Rimini Street in this  
25 matter and Bates numbered RSI00010057-72.

26 22. Attached as **Exhibit 22** is a true and correct copy of PTX 1475, an email from  
27 Seth Ravin dated April 16, 2007, produced by Rimini Street in this matter and Bates numbered  
28 RSI05960903-05.

23. Attached as **Exhibit 23** is a true and correct copy of PTX 1669, a document titled “Oracle Support PeopleSoft HR and Finance, dated April 30, 2009, produced by non-party Jones Lang LaSalle in this matter and Bates numbered JLLSALLE-SUB05905-20.

24. Attached as **Exhibit 24** is a true and correct copy of PTX 2411, a Rimini press release titled “Rimini Street Named to Inc. Magazine’s List of Fastest-Growing Private Companies, dated August 31, 2011 and Bates numbered ORCLRS\_TMPTX00001457-.

**Deposition Excerpts**

25. Attached as **Exhibit 25** is a true and correct copy of the relevant excerpts of the transcript of the November 17, 2011 deposition of Seth Ravin in this matter.

26. Attached as **Exhibit 26** is a true and correct copy of the relevant excerpts of the transcript of the June 8, 2011 deposition of Ray Grigsby in this matter.

**Expert Reports**

27. Attached as **Exhibit 27** is a true and correct copy of the relevant excerpts of the expert report of Dr. Randall Davis in this matter, dated May 2012.

28. Attached as **Exhibit 28** is a true and correct copy of the relevant excerpts of the expert report of Elizabeth Dean in this matter, dated January 17, 2012.

**Discovery Responses**

29. Attached as **Exhibit 29** is a true and correct copy of the relevant excerpts of Oracle’s Response to Defendant Rimini Street, Inc.’s Fifth Set of Interrogatories to Plaintiffs (Nos. 17-40), dated November 21, 2011.

I declare under penalty of perjury that the foregoing is true and correct, and that I executed this Declaration on August 14, 2015 in San Francisco, California.

/s/ Thomas Hixson  
Thomas Hixson

DB3/ 200391426.1